

Notice of Allowability**Application No.**

10/581,833

Examiner

NILOOFAR RAHMANI

Applicant(s)

BUFFAT ET AL.

Art Unit

1625

- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to RCE dated on 10/14/2009
2. ☒ The allowed claim(s) is/are 1,3-12 and 14-17.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some* c) ☐ None of the:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: ____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date ____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date ____.
- Identifying Indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date ____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☒ Interview Summary (PTO-413),
Paper No./Mail Date 12/24/2009.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other ____.

/D. Margaret Seaman/
Primary Examiner, Art Unit 1625

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Gerald Shekleton on December 24, 2009.

IN THE CLAIMS –

Claim 1, page 2, line 9, after “–CH₂-aryl,” **INSERT** – -CH₂-heterocycle, -CH₂-substituted C₅ cycloalkyl—

Claim 1, page 2, line 13, after “ cyclobutyl,” **DELETE** “cyclopropyl”

Claim 1, page 2, line 13, after “ cyclobutyl,” **INSERT** “cyclopropyl”

Claim 14, page 13, line 1, **DELETE** “ medicament for”

Claim 14, page 13, line 2, **DELETE** “ the treatment of known symptoms related to a reduction of the cognitive functions”

Claim 14, page 13, line 3, **DELETE** “ of the brain of mammals”

Claim 14, page 13, line 1, after “ manufacturing a “, **INSERT** – pharmaceutical for the modification acetylcholine or muscarinic receptor—

Claim 15, page 13, line 1, after “wherein the”, **INSERT** “ pharmaceutical is for”

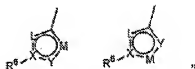
Claim 16, page 13, line 1, after “a method of” **DELETE** “ treatment of symptoms related to a”

Claim 16, page 13, line 2, **DELETE** " reduction of the cognitive function of the brain in mammals"

Claim 16, page 13, line 1, after " a method of", **INSERT** –modifying muscarinic acetylcholine receptor –

Claim 17, page 14, line 17, after " heterocyclic ring" **DELETE** "having one of the"

Claim 17, page 14, line 18, **DELETE** "following structure:"



Claim 17, page 14, line 19, **DELETE** "

Claim 17, page 14, line 20, **DELETE** " where L and M are independently O or N (or NH where the circumstances require) with the proviso that both of L and M cannot be O; Y is S, CH, O or N (or NH where the circumstances require); X is c or N;"

Allowable Subject Matter

Claims 1, 3-12, 14-17 are allowed.

The following is an examiner's statement of reasons for allowance:

Claims 1 and 12 were rejected under 103(a) over Jensen et al., Chemistry-A European Journal (2002), 8(5), 1218-1226 in the previous office action and the rejection is withdrawn in light of applicant's amendment argument in the paper dated on 10/14/2009.

Any comments considered necessary by applicant must be submitted no late than the payment of the issue fee and, to avoid processing delays, should

preferably accompany the issue fee. Such submissions should be clearly labeled "comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Niloofar Rahmani whose telephone number is 571-272-4329. The examiner can normally be reached on Monday through Friday from 8:30 am to 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Janet Andres, can be reached on 571-272-0867. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/NILOOFAR RAHMANI/
12/28/2009

/D. Margaret Seaman/
Primary Examiner, Art Unit 1625